

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40749 of 2020

Arising Out of PS. Case No.-33 Year-2020 Thana- GORAUL District- Vaishali

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Anil Sah @ Anil Kumar Sah Son of Nathuni Sah @ Ram Nath Sah Resident
of Village - Mazia, P.S. - Goraul (KATAHARA O.P.), District - Vaishali, Bihar
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anish Kumar

For the Opposite Party/s : Mr. Addl. Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-02-2021 Heard learned counsel for the parties.

The petitioner seeks bail in Goraul (Katahara O.P)
P.S. Case No. 33 of 2020 registered for the offence under
Section 30(a) of Bihar Prohibition and Excise Act, 2016.

450 liters of foreign liquor is said to have been
recovered from a Bolero pick-up van. It is further alleged that
driver of the said pick-up van alongwith 2-3 other persons,
taking advantage of darkness, fled away from the spot. Later on,
complicity of the petitioner surfaced during course of
investigation.

It is submitted on behalf of petitioner that nothing has
been recovered from conscious possession of the petitioner.
Petitioner is neither owner nor driver of the said pick-up van. It
is further submitted that petitioner is accused in three more
criminal cases and in all of them, he is on bail. In this case,
petitioner is in custody since 13-07-2020. Chargesheet has



already been submitted and there is no allegation against petitioner of tampering with the evidence.

Considering the aforesaid facts and circumstances as well as nature of accusation, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge II cum Excise Court, Vaishali at Hajipur in connection with Goraul (Katahara O.P) P.S. Case No. 33 of 2020 on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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